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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,026	11/30/2000	James Stephen Hoelle	13DV-13914	6099

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EXAMINER

PALADINI, ALBERT WILLIAM

ART UNIT PAPER NUMBER

2125

DATE MAILED: 06/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/728,026

Applicant(s)

HOELLE ET AL.

Examiner

Albert W Paladini

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2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bigelow (6647305).

In figure 1 Bigelow discloses a system and method for generating at least one digital drawing and a plurality of drawing views where the system consists of server 122 associated with client 126 with a data storage device 118 and a CAD system, which generates the drawings of parts. The CAD product can be displayed as a drawing or three-dimensional model.

Bigelow does not explicitly state "pre-stored orthographic projection rules" as recited in claim 1, but it would have been obvious to one of ordinary skill in the art that in

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order to create drawings and three dimensional images, "pre-stored orthographic projection rules" must be contained in database 118.

Bigelow does not recite a "bracket" and "gas turbine engine" as recited in the preamble to claim 7. However it would have been obvious to one of ordinary skill in the art that the processor programmed to create a plurality of digital drawing views can be applied to any structure. Specifically the preamble is not accorded any weight in accordance with MPEP 707.07F, which states, "A preamble is generally not

accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand-alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951)."

#### ***Relevant Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Summer (5467293) discloses a, system, which incorporates at least one workstation or client/server and/or at least one mainframe computer. There is a CAD system of the user's choice, such as are well known in the art, residing on the workstation. The CAD system includes a drafting system with a drawing manager system and is preferably feature-based, although it could also be attribute-based.

Steadham (5634016) discloses an event management system, which includes a CAD/DATA workstation, used to generate two-dimensional and three-dimensional designs of an event layout, multiple perspective views of an event layout, and "walk-through" animations of event layouts. It also provides an efficient means for making changes and adjustments to any drawing.

Sasaki (6633400) discloses a print system consisting of a client PC connected to a server, which contains a printer description storage area where a printer apparatus is used to create drawings.

Nixon (6633688) discloses an image creation client/server system, which includes one or more servers. Presuming that image access and processing is the computational task for which the client/server system is designed, the server also includes a sector processor,

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an image processor, an image source, and an image storage. The image source provides one or more images to the image processor. The image processor transforms each image into a set of image data, which can be reversed transformed by an image drawing process at the server to generate the image, or a view on the image. As the image processor transforms the images, they are stored in the storage. The clients and servers of the client/server system are connected for communication by a communication facility. The nature of the communication facility depends upon the nature of the units of the client/server system.

***Information Disclosure Statement***

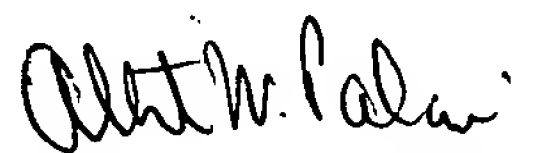
5. The information disclosure statement filed on April 5, 2002 contains a large number of references submitted for consideration that appear to be cumulative and are consistent with the progress in the art. In view of the number of references in this application, the Applicant is requested to identify any specific references, features, sections or figures in the references cited which are believed to have particular significance in the prosecution of this application or which are considered material to the patentability of the pending claims, for further consideration by the Examiner.

6. Any inquiry concerning this communication or earlier communication from the examiner should be direct to Albert W. Paladini whose telephone number is (703) 308-2005. The examiner can normally be reached from 7:30 to 3:30 PM on Monday, Tuesday, Thursday, and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Leo P. Picard, can be reached on (703) 308-0538. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

June 15, 2004

  
Albert W. Paladini  
Primary Examiner  
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